

1 PHILLIP A. TALBERT
2 United States Attorney
3 JUSTIN J. GILIO
4 Assistant United States Attorneys
5 2500 Tulare Street, Suite 4401
6 Fresno, California 93721
7 Telephone: (559) 497-4000
8 Facsimile: (559) 497-4099
9 Attorneys for Plaintiff
10 United States of America

11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14
15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 QUINTIN JEUH CARLOS-BANUELOS,

19 Defendant.

20 CASE NO. 1:20-CR-00175-NODJ-BAM

21 STIPULATION TO CONTINUE CHANGE OF
22 PLEA HEARING AND ORDER THEREON

23
24 **STIPULATION**

25 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
26 through defendant's counsel of record, hereby stipulate as follows:

27 1. By previous order, this matter was set for a change of plea hearing on April 29, 2024, at
28 8:30 a.m. The defendant now seeks to continue the change of plea hearing to May 7, 2024, at 8:30 a.m.
The proposed change of plea date represents the earliest date that the court and all counsel are available,
taking into account counsels' schedules, defense counsels' commitments to other clients, and the court's
available dates for a change of plea hearing.

29 2. The parties agree and stipulate, and request that the Court find the following:

30 a) The discovery associated with this case includes case includes voluminous
31 investigative reports, wire interceptions recordings and electronic messages, precise location
32 information data, and cellular phone downloads, totaling thousands of pages of discovery and
33 several gigabytes of electronic data.

1 b) Defense counsel requests the additional time to prepare for the change of plea
2 hearing, meet with his client, and review/negotiate the plea agreement. The parties are close to
3 finalizing a plea agreement. Defense counsel has been conducting independent investigation and
4 as a result has requested some revisions to the factual basis for the plea agreement. The
5 government and the defense need the additional time to implement these revisions. In addition,
6 defense counsel needs additional time to meet with his client, who resides out of state.

7 c) In addition, the Court contacted the parties and asked for the parties to stipulate to
8 the May 7 change of plea hearing date.

9 d) Counsel for the defendant believes that failure to grant the above-requested
10 continuance would deny him the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 e) The government does not object to the continuance.

13 f) The defendant is currently out of custody.

14 g) The parties agree that time should be excluded because failure to grant the
15 requested case schedule would unreasonably deny the defendant continuity of counsel, and
16 unreasonably deny the defendant the reasonable time necessary for effective preparation, taking
17 into account the parties' due diligence in prosecuting this case. 18 U.S.C. Section
18 3161(h)(7)(B)(iv). Based on the above-stated findings, the ends of justice served by the schedule
19 as requested outweigh the interest of the public and the defendant in a trial within the original
20 date prescribed by the Speedy Trial Act. Therefore, the parties request that the Court exclude the
21 time through the change of plea hearing date on May 7, 2024, from calculations under the
22 Speedy Trial Act.

23 h) IT IS SO STIPULATED.

24 Dated: April 16, 2024

PHILLIP A. TALBERT
United States Attorney

26 By: /s/ JUSTIN J. GILIO
27 JUSTIN J. GILIO
28 Assistant United States Attorney

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2 Dated: April 16, 2024
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/s/ *Victor Chavez*
Attorney for Defendant
QUINTIN JEUH CARLOS-BANUELOS

ORDER

6 IT IS SO ORDERED that the change of plea hearing is continued from April 29, 2024, to **May 7,**
7 **2024, at 8:30 a.m. in Courtroom 1 before the District Court Judge.** Time is excluded pursuant to 18
8 U.S.C. § 3161(h)(7)(A), B(iv).

9 IT IS SO ORDERED.
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Dated: April 16, 2024

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE